

EXHIBIT S

DEFENDANTS' AFFIRMATIVE DEPOSITION DESIGNATIONS FOR MATTHEW STRAIT					
DEPO DATE	DESIGNATION TYPE	DEFENDANTS' AFFIRMATIVE DESIGNATIONS			
		Begin Page at	Begin Line at	End Page at	End Line at
5/31/2019	All Def Affirm	13	25	14	2
5/31/2019	All Def Affirm	14	19	14	21
5/31/2019	All Def Affirm	15	11	15	25
5/31/2019	All Def Affirm	16	1	16	25
5/31/2019	All Def Affirm	17	1	17	7
5/31/2019	All Def Affirm	17	8	17	25
5/31/2019	All Def Affirm	18	1	19	15
5/31/2019	All Def Affirm	19	21	21	13
5/31/2019	All Def Affirm	21	14	22	11
5/31/2019	All Def Affirm	22	15	22	25
5/31/2019	All Def Affirm	23	1	23	25
5/31/2019	All Def Affirm	24	1	24	7
5/31/2019	All Def Affirm	24	20	24	25
5/31/2019	All Def Affirm	25	1	25	23
5/31/2019	All Def Affirm	25	25	25	25
5/31/2019	All Def Affirm	26	1	26	25
5/31/2019	All Def Affirm	27	1	27	25
5/31/2019	All Def Affirm	28	1	28	25
5/31/2019	All Def Affirm	29	1	29	25
5/31/2019	All Def Affirm	30	1	30	13
5/31/2019	All Def Affirm	31	4	31	25
5/31/2019	All Def Affirm	32	1	32	10
5/31/2019	All Def Affirm	32	11	32	25
5/31/2019	All Def Affirm	33	1	33	8
5/31/2019	All Def Affirm	33	9	33	14
5/31/2019	McKesson Affirm	37	23	38	16
5/31/2019	All Def Affirm	40	1	40	25
5/31/2019	All Def Affirm	41	1	41	25
5/31/2019	All Def Affirm	42	1	42	19
5/31/2019	All Def Affirm	42	21	42	22
5/31/2019	All Def Affirm	46	5	46	25
5/31/2019	All Def Affirm	47	1	47	1
5/31/2019	All Def Affirm	47	5	47	6
5/31/2019	All Def Affirm	49	6	49	13
5/31/2019	All Def Affirm	49	16	50	7
5/31/2019	All Def Affirm	50	23	50	25
5/31/2019	All Def Affirm	51	1	51	9
5/31/2019	All Def Affirm	51	10	51	13
5/31/2019	All Def Affirm	51	16	51	17
5/31/2019	All Def Affirm	56	11	56	25
5/31/2019	All Def Affirm	57	1	57	7
5/31/2019	All Def Affirm	58	11	58	20
5/31/2019	All Def Affirm	59	13	59	16
5/31/2019	All Def Affirm	59	19	60	19
5/31/2019	All Def Affirm	60	21	60	25
5/31/2019	All Def Affirm	61	1	61	25

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DEPO DATE	DESIGNATION TYPE	DEFENDANTS' AFFIRMATIVE DESIGNATIONS			
		Begin Page at	Begin Line at	End Page at	End Line at
5/31/2019	All Def Affirm	62	1	62	25
5/31/2019	All Def Affirm	63	1	63	25
5/31/2019	All Def Affirm	65	8	65	19
5/31/2019	All Def Affirm	66	14	66	25
5/31/2019	All Def Affirm	67	1	67	4
5/31/2019	All Def Affirm	68	16	68	25
5/31/2019	All Def Affirm	69	1	69	2
5/31/2019	All Def Affirm	69	15	69	25
5/31/2019	All Def Affirm	116	16	116	25
5/31/2019	All Def Affirm	117	1	117	11
5/31/2019	All Def Affirm	117	14	117	25
5/31/2019	All Def Affirm	118	1	118	1
5/31/2019	All Def Affirm	121	10	121	23

PLAINTIFFS' OBJECTIONS TO THE DESIGNATIONS OF MATTHEW STRAIT
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				Plaintiffs object to the extent that certain Defendant deposition designations of the DEA depositions and certain 30(b)(6) depositions are duplicative of one another. Plaintiffs further object to any testimony by current or former DEA agents designated by the Defendants to the extent that such testimony seeks to define what the law requires or whether Defendants' conduct violated or did not violate the law, as such testimony
18	25	18	25	would invade the province of the jury.
18	25	30	13	duplicative of other deposition designations, vague, scope, relevance, foundation
31	4	33	14	duplicative of other deposition designations, vague, scope, relevance, foundation
37	23	38	16	duplicative of other deposition designations, vague, scope, relevance, foundation
46	5	47	6	duplicative of other deposition designations, vague, scope, relevance, foundation
49	6	50	7	duplicative of other deposition designations, vague, scope, relevance, foundation, calls for privileged information
50	23	51	17	duplicative of other deposition designations, vague, scope, relevance, foundation
56	11	57	7	duplicative of other deposition designations, vague, scope, relevance, foundation
58	11	58	20	duplicative of other deposition designations, vague, scope, relevance, foundation
59	13	60	15	duplicative of other deposition designations, vague, scope, relevance, foundation, calls for privileged information
61	4	63	25	duplicative of other deposition designations, vague, scope, relevance, foundation, calls for privileged information
116	16	118	1	misstates prior testimony, relevance
121	10	121	23	relevance, asked and answered, cumulative

DEFENDANTS' RESPONSES IN SUPPORT OF DESIGNATIONS OF MATTHEW STRAIT

DEPO DATE	NOTES				
	Begin Page at	Begin Line at	End Page at	End Line at	NOTES
5/31/2019	18	25	18	25	Response #1 (Duplicative): Testimony is not duplicative or cumulative of other designations from Mr. Strait's testimony. Nor is Mr. Strait's testimony duplicative or cumulative of any other DEA witness. His specific career path – having been a senior policy advisor for the diversion control program and a liaison between DEA and Congress for the past 20 years – gives him a different perspective on the central issues of this case than the other DEA fact witnesses. In addition, to the extent multiple DEA witnesses testified along similar lines on the issues central to this case, that is relevant to show that those witnesses shared a common understanding of DEA's interpretation and enforcement of the suspicious order monitoring regulation, rather than an outlier view, which is, in turn, relevant to defendants' scienter.
5/31/2019	18	25	30	13	Response #1 (See above); Response #2 (Scope): Testimony is covered by DOJ's authorization of witness's testimony regarding "Your Communications relating to and efforts to comply with the reports and recommendations contained in the following GAO reports."; Response #3 (Vague): The questions and testimony clearly relate to DEA's efforts to comply with the reports and recommendations contained in the GAO reports.; Response #4 (Relevance): Testimony is relevant to DEA's efforts to comply with GAO recommendations. Testimony is also relevant to scienter, an element of each of plaintiffs' claims and a requirement for punitive damages.; Response #5 (Foundation): Question asks for witness's personal understanding of his role as a liaison between DEA and GAO, which he developed during his career at DEA. Witness testified extensively about his personal experience interacting with GAO and addressing their recommendations.
5/31/2019	31	4	33	14	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation)
5/31/2019	37	23	38	16	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation)
5/31/2019	46	5	47	6	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation)
5/31/2019	49	6	50	7	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation): Response #6 (Privileged Communication): The question does not seek for privileged communication but rather whether DEA had developed a guidance manual or not at the time.
5/31/2019	50	23	51	17	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation)
5/31/2019	56	11	57	7	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation)
5/31/2019	58	11	58	20	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation)
5/31/2019	59	13	60	15	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation): Response #6 (Privileged Communication): The question does not seek for privileged communication but rather whether DEA was seeking to revise its regulations at the time.
5/31/2019	61	4	63	25	See above: Response #1 (Duplicative); Response #2 (Scope); Response #3 (Vague); Response #4 (Relevance); Response #5 (Foundation): Response #6 (Privileged Communication): The question does not seek privileged communications but rather the communications involved in DEA's response to GAO's recommendations.

DEFENDANTS' RESPONSES IN SUPPORT OF DESIGNATIONS OF MATTHEW STRAIT

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	Begin Page at	Begin Line at	End Page at	End Line at	NOTES
5/31/2019	116	16	118	1	See above: Response #4 (Relevance); Response #8 (Misstates prior testimony): Testimony is not a misstatement because it accurately characterizes the document, which the witness agrees the questioner read properly.
5/31/2019	121	10	121	23	See above: Response #4 (Relevance) and Response #1 (Duplicative); Response #7 (Asked and Answered): Testimony was not answered clearly previously.